

**MILWAUKIE CITY COUNCIL
WORK SESSION
DECEMBER 4, 2000**

The work session came to order at 5:30 p.m. in the Milwaukie City Hall Conference Room.

City Council present: Mayor Tomei and Councilors King, Lancaster, Marshall, and Newman.

City staff present: City Manager Pro Tem Swanson, Assistant City Manager Bennett, IST Manager Gartner, Program Specialist Herrigel, City Engineer Stepan, Neighborhood Services Manager Gregory, Civil Engineer Roeger, and Operations Supervisor Saatkamp.

Information Sharing

1. **Councilor Marshall** distributed copies of a newsletter article regarding West Linn's increase in parks system development charges (SDC) and asked if Milwaukie could act similarly. Swanson will speak with North Clackamas Parks and Recreation District (NCPRD) Director Henley and report at the December 18 work session.
2. **Councilor Newman** discussed the availability of additional trails funding and suggested Milwaukie support Portland's projects as well as develop its own. Bennett will provide information in February.
3. **Councilor Marshall** suggested Milwaukie submit its Stanley/Willow Park project to the *Innovations in American Government* and *All-American City Awards*. Swanson will report on this at the December 18 work session.
4. **Councilor King** asked for City volunteers to work at Feed the Hungry on April 1, 2001.
5. **Councilor King** asked if there was any interest in attending the Institute for Metropolitan Studies' Bi-State Breakfast Series.

Distribute Council Laptops

Ramis discussed the Council's use of e-mail as it relates to Oregon's public records law, records retention schedule, and open meeting laws.

The group discussed possible constraints on using City laptops for activities such as supporting local bond measures. **Ramis** felt if the activity took place on one's own time and own phone line, it could arguably be done. However, he felt this would be a question for the Government Standards and Practices Commission.

Staff provided the City's internet and e-mail policies as well as the draft City Council e-mail usage procedure. Gartner reviewed the training manual and hardware setup.

Cable Access Studio Update

Herrigel proposed the cable access studio remain at the International Way site until the end of January at which time the equipment will move to a new location. There are two possible sites for rent in downtown Milwaukie. Clackamas County Fire District #1 (CCFD #1) is interested in a joint venture with Milwaukie using its Lake Road facility. She discussed likely equipment purchases in the amount of \$30,000 using PEG access funds. She also recommended a 6-month contract with Richard Beck for operations not to exceed \$5,000 per month. The current level of programming indicates about 40 hours per week for production, and she further recommended charging other entities for studio use. North Clackamas School District #12 (NC #12) has expressed interest in a long-term arrangement.

Herrigel is looking for a studio at the lowest possible cost and will work with the finance director and city manager on funding. She further committed to having a request for proposals (RFP) for a non-profit operator for Milwaukie's studio ready by March 2001.

Councilor King added effective communication was a major goal of this Council and felt many parties have used cable to do so.

Councilor Lancaster asked how much PEG money was available.

Herrigel said there is about \$60,000 in PEG funds to use for capital projects. Equipment replacement is included in the RFP.

Water Master Plan Update

Stegan said the purpose of this report was to get Council direction on the working document which lays the groundwork for a February Council hearing. The Citizens Utility Advisory Board (CUAB), City staff, and Montgomery Watson, consultant, have been gathering and analyzing data on the various options for over 18 months. She expressed her appreciation to CUAB members Alan Fletcher, Charles Bird, Bob Hatz, and Betty Chandler as well as Milwaukie Civil Engineer Roeger and Water Operations Supervisor Saatkamp.

Lisa Obermeyer, Montgomery Watson, discussed the scope of work. The major elements were updating population forecasts and related water usage figures; developing criteria to evaluate the existing system and project future expansion; developing a source of supply strategy, anticipating growth-related system needs; and preparing a Capital Improvement Plan (CIP).

The population forecast, based on Milwaukie's 1999 Comprehensive Plan update, is about 28,000 residents by 2015. Milwaukie's current water demand is about 2.5 million gallons per day (mgd) with peak day use at 4.5 mgd. In 2015, full build out would require about 8 mgd on peak days. These figures will be reviewed regularly through the

life of the Master Plan to assure accuracy. The Plan includes an evaluation of the ability to meet fire suppression demands.

The Master Plan's two major policy issues are supply and storage. Little growth can take place in Milwaukie without additional source capacity. The current groundwater source supplies 5.8 mgd along with .5 mgd from Clackamas River Water (CRW). The recommendation is to acquire 3 mgd of additional firm source capacity to meet 2015 build out. The alternatives are to develop additional groundwater supply, purchase water through a contract with CRW, Oak Lodge Water, or the City of Portland, or conserve water to reduce the peak demand.

Several of these options do not bear scrutiny as long-term solutions. Oak Lodge does not have adequate volume, so that option was screened from further evaluation. Based on data from the Regional Water Supply Providers report, a conservation program will net only .15 mgd and actually cost the City money to carry out. At best, conservation might delay the need to build new facilities.

The remaining options, increasing the groundwater source and purchasing water from Portland or CRW continued through the evaluation process. The criteria were supply certainty, water quality, reliability, ease of implementation, consistency with regional and local planning, compatibility with existing facilities, and ownership and agreements. The groundwater supply option will have a high capital investment of about \$3.46 million. This options assumes drilling 3 new wells at one time. The CRW and groundwater options are similar in cost over the life of the Plan. Portland's wholesale water costs are much higher than CRW and will cost about \$5.2 million over the same period of time.

Councilor Newman understood the City would have more control if the groundwater option were chosen.

Bennett said a contract could be negotiated to include purchasing part of a treatment facility if the City wished to increase its level of involvement and certainty. She noted there was a capital cost for a new CRW intertie. Milwaukie could also negotiate terms for water purchase.

Obermeyer recommended the CRW option as the most economically favorable way to strengthen Milwaukie's emergency supply. She provided a diagram of current well sites and connections as well as a proposed connection to CRW.

Councilor Newman asked if long-term water system safety was evaluated.

Stepan said the relative risk to the water source was evaluated.

Councilor Lancaster asked if an index pay system was evaluated.

Obermeyer took information from the Regional Water Supply Provider report which did include rate structure changes. Figures suggest a 10% - 15% conservation since 1992.

Councilor King noted the CUAB recognizes conservation is an important part of water use and a major concern under the Endangered Species Act (ESA).

Councilor Lancaster challenged the 28,000 population estimate for 2015.

Obermeyer explained this projection was from Milwaukie's 1999 Comprehensive Plan update assuming increased core density. She explained these numbers would have to be revisited regularly and evaluated for accuracy.

Ramis asked how important it will become over the next 15 years to have one's own water source.

Obermeyer said that is a philosophical choice and suggested the City might consider buying into a water district.

Hatz recommended the CRW option because drilling additional wells might actually have the effect of moving contamination to existing City wells.

Councilor Marshall asked if there was enough water in the Troutdale aquifer to serve future water demands.

Obermeyer said other cities, including Portland and Vancouver, already use the aquifer. A 1993 study indicates there is sufficient water but does not address moving contamination to other well sites.

Councilor King discussed development, permitting, and long-term water availability.

Fletcher commented on development as a regional issue and the costs associated with gathering and analyzing data on the relationship between development and water supply. Source diversity would probably be advisable.

Bird said not being assured of water quality is a real problem. He felt source diversity and conservation will be important in the future.

Obermeyer suggested the City begin thinking about water conservation education and consider how to fund that type of program.

Obermeyer addressed storage concerns. To meet emergency and peak hour demands, the City will need about 2.5 mgd storage by 2015. Today it has 1.5 mgd. Possible solutions are to either share storage or build a new reservoir. She pointed out four promising sites for new storage facilities of which CRW's Otty Road site seemed the most advantageous.

Councilor Newman favored negotiating a contract with CRW. If water is purchased from a supplier, projections could be adjusted based on the accuracy of the assumptions.

Fletcher said he is employed by CRW. The CUAB worked very hard on the issues and scrutinized the options and weighed them against the criteria. CRW concurs with Montgomery Watson and supports diversity. It further encourages the Milwaukie City Council to adopt the Master Plan recommendations and develop a negotiation strategy. The CUAB unanimously supported conservation.

Hatz asked if the Milwaukie's existing wells could become contaminated.

Saatkamp replied there was always a possibility. There has been a lot of discussion about not building a new well to prevent pulling contamination into the City's currently clean wells.

Councilor King thanked the CUAB for its work. She felt there was a benefit in negotiating with CRW to purchase water and share storage. **Mayor Tomei** and **Councilor Lancaster** concurred.

Swanson finds Milwaukie and CRW have a good working relationship, so it is probably time to explore an equity position. He discussed water supply issues in the Metro area and the importance of Milwaukie having a stake in its future.

Councilor Marshall said it appears Milwaukie will spend \$5 - \$6 million on an additional 6,000 residents. He felt the City should consider saying there is no more room; Milwaukie has already reached build out. Does the City really want more population and fund additional public facilities to meet the increased demands? What would happen if these issues were put on the ballot?

Swanson said Milwaukie and CRW have an existing agreement. He suggested a negotiation strategy which seeks equity and flexibility. He also heard the sentiment that an additional 6,000 residents was not necessarily desirable or achievable.

Bennett added Milwaukie needs storage capacity in any event. There will be some initial costs as well those which may or may not be incurred depending on development.

Bird suggested looking at the issue incrementally to safeguard Milwaukie's water supply to meet future population needs.

Ramis added the key is systems development charges.

Stepan responded SDCs were not within Montgomery Watson's scope of work. She suggested fine tuning the document without drastically changing the recommendations. Staff will submit the Plan to the Oregon Health Division for approval prior to City Council public hearing.

The City Council concurred with the recommendation.

Junior High Property

Swanson sought a sense of what role the Council wished the City to take after the Jr. High Bond Measure defeat in November. He met with North Clackamas School District #12 (NC #12) Superintendent Naso, and the citizen group hoping to acquire the site met with Naso and the School Board. Swanson offered to continue as a resource to the citizen group. In terms of the budget, the City does not have sufficient funds to purchase the property.

Jim Bernard, Milwaukie Junior High Preservation Corporation, filed 5013C papers and asked the School District for a 6-month grace period in which to identify funding sources. He requested the City Council to prepare a letter to the School Board indicating its support for the project.

Ed Zumwalt added this is a big undertaking and asked the School Board and City Council to be patient as the citizen group works with the stakeholders.

Councilor Marshall said the City saved about \$450,000 to put toward the Jr. High site purchase and felt the citizen group should have access to some of these funds.

Councilor Newman agreed but suggested a financial plan be prepared for Council review.

Zumwalt said the group needs some research done quickly and asked if Gregory would have any time available.

Swanson will prepare some budget figures for the December 18 work session after hearing the School Board's decision.

Councilor Lancaster understood from the discussion there is a willingness on Council's part to support the citizen group in any way and may include staff time and publicity.

South Corridor Study

Bennett sought Council direction on two policy questions: which 2 or 3 options should go forward for further study and should Milwaukie support an effort to reconsider light rail.

The Study began July 1999 to find a transit option after voters defeated light rail funding. Metro is the lead agency and partners with the cities of Milwaukie, Portland, and Oregon City, Clackamas County, Tri-Met, and Oregon Department of Transportation. Milwaukie was represented on all three working groups: Portland to Milwaukie, Milwaukie to Town Center, and Milwaukie to Oregon City. The 7 non-light rail options are high occupancy vehicle lanes (HOV), high occupancy toll lanes (HOT), bus rapid transit (BRT), busway, river transit, radial commuter rail from Oregon City to OMSI, and circumferential commuter rail from Beaverton to Milwaukie. Each of these options was evaluated against a no build option and resulting conditions. The goal is to

provide high capacity transit, maintain livability, support land use goals, optimize the transportation system, act environmentally and fiscally responsible, and reflect community values. She noted southeast Portland residents strongly support light rail and want it reconsidered.

Bennett reviewed each of the 7 options and likely impacts. Of those, 3 seemed to meet the goals and objectives. BRT would have the lowest capital cost and increase the number of transit riders. Busway would be like light rail in that it is a separate right-of-way from other traffic lanes. Because it includes a new bridge for buses, pedestrians, and bikes, this option is the most expensive. HOV lanes would add road capacity making it a fast travel option, but it also increases the overall travel time for all vehicles.

Staff recommends BRT for its cost and efficiency. The downside is the travel time, but it does meet ridership demands. The second recommendation is busway because it is fast, flexible and has high ridership. The third recommendation is HOV because of its fast travel time, but it could result in auto-oriented land uses and make Milwaukie more of a drive-through community than it already is.

Gregory added enforcement costs are a concern with HOV.

Bennett recommended not moving forward on toll lanes because of safety concerns, expense, and unpopularity. River transit has low ridership and could develop Milwaukie's riverfront into a transit center and parking garage. Radial community rail is expensive, has low ridership, and conflicts with heavy rail. Circumferential commuter rail would impact Milwaukie little and is not a high capacity option. It may, however, warrant future study.

Bennett provided several options: busway on all segments; busway between Portland and Milwaukie with BRT to Clackamas Town Center; BRT on all segments; light rail between Portland and Milwaukie with busway to Clackamas Town Center; light rail between Portland and Milwaukie with BRT to Clackamas Town Center; or HOV lanes between Portland and Milwaukie with BRT to Clackamas Town Center.

The Milwaukie to Oregon City segment working group reached consensus on BRT only. The Portland to Milwaukie segment working group supports BRT and light rail, so Portland is saying, in order to be responsive, light rail needs to be back on the table. The outcome is to have a package of options from which to develop capital projects and submit those for federal funding.

Councilor Lancaster commented a boat carrying 150 people was equivalent to about 3 buses.

Bennett explained buses can be scaled to meet varying demands during the day. Metro finds more people are willing to take a light rail train than ride a bus.

Mayor Tomei was concerned about parking if river transit were chosen.

Councilor Lancaster suggested busing people to the waterfront and using a water taxi service as a supplement. He thought this option could have a favorable impact on Milwaukie's riverfront development.

Bennett said water taxis could be operated independently and not by Tri-Met. One of the drawbacks with water transit is the amount of time it takes to get to and from the boat.

Gregory felt river transit could be a viable supplement in the future.

Ramis asked if the transit center and parking issue related to the river taxi option could be resolved by putting it on the sewage treatment plant site and using the proceeds to purchase the site from Clackamas County.

Councilor King thought there could be a lot of environmental issues related to river transit.

Councilor Newman added the best and most desirable transit modes assume the least number of transfers, but he felt the river taxi might be a good niche.

Councilor Lancaster understood the busway option included building a new bridge with almost the same alignment as light rail.

Councilor King was concerned about noise and neighborhood livability issues resulting from an elevated structure.

Bennett said the purpose of an effective transportation system is to incrementally get people out of their cars to avoid continually increasing road capacity.

Councilor Lancaster sees trucks using about 1/3 of available road space and asked if this was part of the study.

Bennett said truck traffic was not included in the study.

Councilor Marshall said realistically less than 50% of the population can use mass transit.

Bennett said the goal is to provide a flexible, reliable transit option to those who can use it.

Gregory said in addition to relieving congestion, the study also addresses the needs of those who cannot access cars. She described the public involvement process and Milwaukie's involvement with the 3 working groups.

Councilor Marshall was not opposed to light rail as long as it is really about moving people and does not disturb Milwaukie neighborhoods or be a technique for social engineering. He supported the three options staff recommended but questioned planning for population growth in an area that has no employment.

Gregory commented a lot of people felt the I-205 corridor needed to be studied.

Mayor Tomei did not support HOV to further encourage the kind of development taking place between Damascus and Sunnyside.

Councilor Marshall maintained people did not stop moving into an area just because no roads are being built. He was not in favor of making Hwy. 224 into a freeway.

Councilor Lancaster felt there should be a balance between moving people through town and encouraging people to stop at Milwaukie businesses or visit the riverfront.

The City Council agreed to support the staff recommendation.

Mayor Tomei thought Milwaukie residents would not support light rail going through Milwaukie but might consider a transit center.

Councilor Marshall suggested a loop of some kind so Milwaukie would not become a Rockwood. His biggest objection was social engineering.

Councilor Newman thought, if light rail does get on the table, Milwaukie must make it clear it cannot go through neighborhoods. Milwaukie should be prepared to talk about it.

Councilor Lancaster objected to the cost. Light rail was not one of the Study options, so it should not be on the table now.

Mayor Tomei read a list of Portland light rail supporters. She did not feel light rail would have the same drawbacks if it dead-ended at the transit center, and it would be more attractive to users than a bus.

Swanson understood the Council's position was light rail should not be on the table. But, if that position is unsuccessful, it should be clear Milwaukie will not stand for an alternative that diminishes its neighborhoods. He recommended being prepared to take a strong position.

Bennett said the busway is a viable alternative to light rail and could protect Milwaukie's position. The other problem with the discussion is no data was gathered in the Study on light rail.

Councilor Marshall said, if light rail comes, the criteria would be no social engineering and no intrusion into the neighborhoods.

Councilor Lancaster had reservations about the busway bridge that served only downtown Portland on only one corridor. He suggested looking for an alternative without a bridge.

Councilor King asked how people would get to the buses.

Bennett discussed ped/bike lanes and cautioned against letting bus access be considered a "local issue."

Summary: the Milwaukie City Council prefers the alternatives which keep faith with the original South Corridor Study options: bus rapid transit, busway, and high occupancy vehicle lanes. If the policy group overrules this position and considers light rail, Milwaukie will not allow intrusion or other negatives impacts on the City and its neighborhoods or permit social engineering.

Other Items for Discussion

Mayor Vacancy

Councilor Marshall suggested not appointing an interim Mayor between Tomei's January resignation and the March 2001 election.

Ramis said this is a policy question of whether to appoint someone to serve for only a 30-60 day period. The Charter seems to leave open the possibility of making no appointment. The City Council would have the burden of explaining this to the community and commit to holding an election at the earliest possible date.

Councilor Lancaster suggested holding any controversial issues over until the new Mayor was sworn in, and **Councilor Newman** agreed.

Swanson noted the recent staff resignations, and this option provides a certain comfort level if Councilor Marshall is the presiding officer.

The group agreed to not appoint an interim Mayor after Tomei resigns.

Council Retreat

The group agreed to schedule a Council retreat after the mayoral election in March.

South Corridor Study Policy Committee

Mayor Tomei recommended Councilor Newman take her place on the Committee because of his experience on the working group, and the Councilors concurred.

Executive Session

Swanson announced the City Council would meet in executive session pursuant to ORS 192.660 to discuss potential litigation.

Adjournment

The work session ended at 9:25 p.m.

Pat DuVal, Recorder